

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	No. 1:16-cr-162
	:	
JWANE JOHNSON,	:	(Judge Kane)
Defendant	:	

ORDER

AND NOW, this 16th day of March 2018, upon consideration of the Government's pending motions in limine, (Doc. Nos. 123, 135), as well as the Government's notice of intent to introduce evidence pursuant to Federal Rule of Evidence 404(b), (Doc. No. 124), and after review of the parties' extensive briefing thereto, (Doc. Nos. 126, 136, 137, 149), and in accord with the accompanying memorandum, **IT IS ORDERED THAT** the motions in limine are **GRANTED in part** and **DENIED in part**.

The Government is permitted to admit Defendant's alleged booking statement to Richard Swanson. The Government is precluded from admitting the details of Defendant's flight from police on January 2nd beyond those details that were permitted by Judge Caldwell in the first trial held in December 2016; however, should the statement tending to show bias be elicited from Officer Bates, some of those flight details—as specified in the accompanying memorandum—shall be admissible for rebuttal purposes. Finally, the alleged prior statements to the parole agents will be excluded.

IT IS FURTHER ORDERED THAT the Government's proffered Rule 404(b) evidence not referenced in its motions in limine will be **ADMITTED in part** and **EXCLUDED in part**.

The Government may admit the limited evidence regarding Defendant's 2015 drug testing as set forth in the accompanying memorandum, but is precluded from admitting Defendant's prior drug-distribution convictions.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania